

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MINDI S. HARDIN,

Plaintiff,

Hon. Phillip J. Green

v.

Case No. 1:19-cv-00042

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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**REPORT AND RECOMMENDATION**

Plaintiff is seeking judicial review under 42 U.S.C. §§ 405(g) and 1383(c)(3), of the Commissioner's decision denying her application for disability insurance benefits (DIB) and supplemental security income (SSI) benefits. Plaintiff filed her complaint on January 18, 2019. (ECF No.1). Plaintiff is currently represented by counsel. Plaintiff, through counsel, filed her financial application to proceed *in forma pauperis* to avoid prepaying fees and costs. (ECF No. 2). For the following reasons, I recommend that plaintiff's application to proceed *in forma pauperis* be denied.

After a review of plaintiff's financial affidavit, it appears that she and her spouse have more than \$1,500 in monthly discretionary income. (See ECF No. 2, PageID.6-10). Plaintiff further reports, in Section 4, that she and her spouse have \$300 in cash on hand as well as \$300 in their joint bank account. (PageID.7).

Accordingly, it appears that plaintiff has sufficient funds to pay the filing fee in this matter.

Dated: February 1, 2019

/s/ Phillip J. Green

PHILLIP J. GREEN

United States Magistrate Judge

### **NOTICE TO PARTIES**

ANY OBJECTIONS to this Report and Recommendation must be filed and served within fourteen days of service of this notice on you. 28 U.S.C. § 636(b)(1)(C); FED. R. CIV. P. 72(b). All objections and responses to objections are governed by W.D. MICH. LCIVR 72.3(b). Failure to file timely and specific objections may constitute a waiver of any further right of appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *Keeling v. Warden, Lebanon Corr. Inst.*, 673 F.3d 452, 458 (6th Cir. 2012); *United States v. Branch*, 537 F.3d 582, 587 (6th Cir. 2008). General objections do not suffice. See *McClanahan v. Comm'r of Social Security*, 474 F.3d 830, 837 (6th Cir. 2006); *Frontier Ins. Co. v. Blaty*, 454 F.3d 590, 596-97 (6th Cir. 2006).